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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

9 RAYNE DEE WELLS JR,

10 Plaintiff,

11 v.

12 STEVEN DEMARS et al.,

13 Defendants.

CASE NO. C11-5759-BHS-JRC

ORDER STAYING AN ACTION  
AND DIRECTING DEFENDANTS  
TO PROVIDE ADDITIONAL  
INFORMATION.

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15 This 42 U.S.C. §1983 civil rights matter has been referred to the undersigned Magistrate  
16 Judge pursuant to 28 U.S.C. §§ 636(b)(1)(A) and (B) and Local Magistrate Judge Rules MJR 1,  
17 MJR 3, and MJR 4. Plaintiff filed a motion seeking to compel defense counsel to disclose the  
18 identity and address of John or Jane Doe defendants (ECF No. 18). The Court stays this action  
19 and orders that defendant's counsel provide the Court with copies of the disputed discovery.

20 Assistant Attorney General Meyn states that plaintiff did not "specifically" ask for the  
21 identity of the unnamed defendants (ECF No. 19 Exhibit 1). Additionally, she states that plaintiff  
22 did not ask for the address of the unnamed defendants for purpose of service. By way of reply,  
23 plaintiff states that he does not have the names of the unnamed defendants, but that counsel has  
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1 this information. He states that if he obtains personal information of a DOC employee, such as  
2 their home address, he may be infracted. He then argues that the Court must appoint counsel or  
3 some compromise must be reached (ECF No. 21).

4 Neither party has placed before the Court copies of the interrogatories or requests for  
5 admissions that are in question. Neither party has placed before the Court any discovery  
6 responses. The Court cannot make informed rulings without information.

7 There are several separate issues for the Court to consider, including: the identity of the  
8 unnamed defendants; and whether or not plaintiff has properly sought that information.  
9 Additionally, the Court would like to be informed by defendant's counsel if the unnamed  
10 defendants would be amenable to accepting waiver of service in order to avoid the disclosure of  
11 personal information. If the unnamed defendants will not accept waiver of service by mail, then  
12 the Court may need to decide the issues differently. The Court will not consider appointment of  
13 counsel at this time.

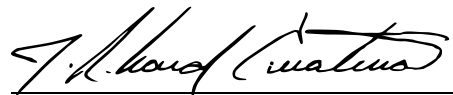
14 The Court now ORDERS:

15 1. Counsel for defendants will submit to the Court copies of all discovery requests  
16 sent by plaintiff and the responses. The Court orders these documents be filed on or before April  
17 6, 2012. Counsel is also ordered to answer the questions set forth above by the same date.

18 2. This action is STAYED.

19 3. The Court re-notes the motion to compel, ECF No. 18, for April 6, 2012.

20 Dated this 16<sup>th</sup> day of March, 2012.

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22 J. Richard Creatura  
23 United States Magistrate Judge  
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